

Order

Michigan Supreme Court
Lansing, Michigan

September 21, 2011

Robert P. Young, Jr.,
Chief Justice

143120

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 143120
COA: 297192
Wayne CC: 09-027497-FH

JAMES THOMAS WRIGHT, JR.,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the May 17, 2011 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals. The prosecutor did not move to dismiss the case, and the order of dismissal states that the dismissal was "on motion of the court." We REMAND this case to the Court of Appeals for consideration of the issues raised by the prosecutor but not addressed by that court during its initial review of this case.

MARILYN KELLY, J., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2011

Corbin R. Davis

Clerk